

REMARKS

Claims 13-29 are pending in the present application of which Claims 13, 14, 16, 18, 20, 22, 24 and 26 are elected and subject to examination.

The rejections of:

- (a) Claims 13, 14, and 24 under 35 U.S.C. §103(a) over Schmidt et al (US 4,775,385) in view of Kuwabara et al (US 5,676,707),
- (b) Claims 16 and 22 under 35 U.S.C. §103(a) over Schmidt et al (US 4,775,385) in view of Kuwabara et al (US 5,676,707) and further in view of Buckman et al (US 4,054,542),
- (c) Claims 18 and 20 under 35 U.S.C. §103(a) over Schmidt et al (US 4,775,385) in view of Kuwabara et al (US 5,676,707) and further in view of Ohno et al (US 6,809,147), and
- (d) Claim 26 under 35 U.S.C. §103(a) over Schmidt et al (US 4,775,385) in view of Kuwabara et al (US 5,676,707) and further in view of Natoli et al (US 5,709,714),

are respectfully traversed.

In Claim 13, the present invention provides a process for the treatment of leather, comprising

- (a) applying at least one cationic or amphoteric aqueous treatment composition to leather by roll coating and/or roll application and/or spray application and subsequently
- (b) treating the leather with an anionic leather treatment composition in a drum.

The Examiner has rejected Claims 13, 14, 16, 18, 20, 22, 24 and 26 as being obvious in over Schmidt et al, Kuwabara et al, Buckman et al, Natoli et al and/or Ohno et al. Applicants disagree.

Schmidt et al disclose a process for dying leathers, water-soluble cationic polymers, suitable for that purpose, and process for their preparation. According to column 2, line 54 and following a process is disclosed, wherein leather is treated either before and/or during and/or

after the dying with a polyamide-amine which is obtained by reacting polyacrylonitrile or acrylonitrile copolymers with one or more polyamines. After treatment of the leather with this cationic polymer mixture, the reaction product is treated with water or with a mixture of water and a water-mixable organic solvent.

Schmidt et al do not disclose the process according to presently pending Claim 13, because the feature that at least one cationic or amphoteric aqueous treatment composition is applied to leather by roll coating and/or roll application and/or spray application is missing in Schmidt et al. In addition, step (b) of the process according to claim 13, treating the leather with an anionic leather treatment composition in a drum, is missing, too. According to the Examiner, the skilled artisan would find the missing features of Schmidt et al in Kuwabara et al. (US 5,676,707).

Kuwabara et al disclose a leather coloring process comprising jetting ink onto a treated leather. According to column 3, line 55 and following, the leather treatment for leather coloring according to Kuwabara et al, is applied on a leather to be colored with a liquid ink containing the coloring material. According to column 4, lines 6 to 15, the liquid in can be imparted to the leather by any method, including a method in which it is directly applied with a paint brush or the like, a method in which it is caused to adhere to only desired areas by using a stencil for textile printing, a method in which it is caused to adhere by jetting in the form of droplets through a jetting nozzle of a spray gun or the like, and a method in which it is caused to adhere by its jetting in the form of minute droplets to jetting nozzles of an in-jet printing head.

According to column 5, lines 29 to 61, the printing ink may contain a resin, i.e., starch, casein, gelatine, maleic anhydride resin, melamine 'esin, urea resin etc. According to example 1 in columns 10 and 11 of Kuwabara et al, the leather is treated with a solution (a) comprising polyvinylpyrrolidone and water, followed by treating with a solution (b) comprising styrene/acrylate copolymer in a water based emulsion, which is non-ionic.

The Examiner has stated in the present Office Action that the skilled artisan would take the methods for application of printing inks from Kuwabara et al and would introduce them into the process according to Schmidt et al, in order to arrive at the process according to the present application which is claimed in Claim 13.

Applicants submit that if the skilled artisan were to combine the disclosures of Schmidt et al and Kuwabara et al, even together with Buckman et al, Natoli et al and/or Ohno et al (see below), the result would not be the presently claimed. Indeed, none of the cited documents does disclose a step (b), wherein the leather to which at least one cationic or amphoteric aqueous treatment composition is applied by roll coating and/or roll application and/or spray application in step (a) is treated with an anionic leather treatment composition in a drum. Neither Schmidt et al nor Kuwabara et al disclose a process, wherein leather is treated with an anionic leather treatment composition in a drum.

In addition, the skilled artisan would not transfer the methods of application of printing ink to the teaching of Schmidt et al, because according to Kuwabara et al liquid inks comprising *neutrally charged* polymers are applied onto leather, wherein in step (a) of the process according to the present application, cationic or amphoteric aqueous treatment compositions are applied. Schmidt et al do not disclose or suggest that the methods for the application of printing ink can advantageously be transferred to the application of cationic or amphoteric aqueous treatment compositions according to the present invention.

As stated above, even if the skilled artisan were to combine Schmidt et al and Kuwabara et al the presently claimed invention would not be the result, because in none of the cited documents step (b) according to Claim 13 is disclosed.

In addition, the Examiner has cited Buckman et al, Natoli et al and Ohno et al as allegedly disclosing the limitations of dependent Claims 14, 16, 18, 20, 22, 24 and 26 of the present application. Applicants disagree and submit that none of these references solves the

basic deficiency in the combined disclosures of Schmidt et al and Kuwabara et al discussed above.

Buckman et al disclose amine-epichlorohydrine polymeric compositions formed by reacting polymeric bis(3-chloro-2-hydroxypropyl)amines with tertiary amines, which are useful in paper making processes, in water purification processes, textiles, manufacturing processes and for the control of pests such as algae, bacteria and fungi.

According to column 6, line 66 to column 7, line 11 of Buckman et al, in the textile industry, the same effects that make the polymers according to Buckman et al useful in paper manufacture apply to various operations used for the processing of cotton textiles. The affinity of the polymers for the cellulose as well as for various dyes, pigments and finishes will improve the retention to the fibers as well as increase the resistance of the treated fabric to leaching and other processes which reduce the effectiveness of the cotton additive. In addition, the cationic polymers according to Buckman et al are useful in providing antistatic properties to synthetic textile products as well as fabrics made from natural fibers.

The skilled artisan would not take Buckman et al into account, because this document discloses that *specific* amine-epichlorohydrine polymeric compositions are useful for the treatment of textiles which do not correspond to leather. In particular, Buckman et al disclose that cationic compositions are useful for treating natural fibers like cotton. The textiles which are mentioned in Buckman et al comprise synthetic textile products as well as fabrics made from natural fibers. Leather, which is treated according to the present application, is neither a synthetic textile, nor fabric made from natural fibers. Therefore, the disclosure of Buckman et al would not fit onto a natural product like leather which is not made from single fibers, but is obtained directly from nature.

Natoli et al disclose a method for treating leather with amphoteric polymers. According to column 1, lines 6 to 12, the invention according to Natoli et al is directed to treating leather

and more particularly to a method for treating leather to improve its color expression characteristics, which refers to the degree of uniformity of hue, intensity and saturation of color of leather as well as the degree of penetration of color in the leather skin provided by the colorant used during the coloring of leather. According to column 3, lines 16 to 28 of Natoli et al, the tanned leather stock is treated with an amphoteric polymer dispersed in an aqueous medium to produce a retanned leather, wherein said amphoteric polymer comprises a first stage of polymer polymerized from at least one monomer containing an anionic functionality and a second stage polymer polymerized from at least one monomer containing a cationic functionality to give an amphoteric copolymer. Natoli et al does not disclose that leather that has been treated with an cationic or amphoteric aqueous treatment composition by roll coating and/or roll application and/or spray application is subsequently treated with an anionic leather treatment composition in a drum. The combination of Schmidt et al and Kuwabara et al, even together with Buckman et al, and/or Natoli et al, therefore, also does not provide the process according to Claim 13 of the present application. The skilled artisan would not combine these four different documents and even if they did the process according to Claim 13 will not be obtained.

Ohno et al disclose thermosetting compositions comprising an excellent storage stability and solid physical properties. According to column 1, lines 7 to 14, the thermosetting compositions according to Ohno et al comprise an acrylic plastisol of acrylic resin particles having a radiant-type structure is useful as automotive body sealers or undercoats. On the one hand, Ohno et al is taken from a completely different technical field (non-analogous art), compared to the present application. In addition, Ohno et al do not disclose or suggest a process for the treatment of leather comprising steps (a) and (b) according to the present application.

In view of the foregoing, the presently claimed invention is not disclosed or suggested by the combined disclosures of Schmidt et al and Kuwabara et al, even together with Buckman et

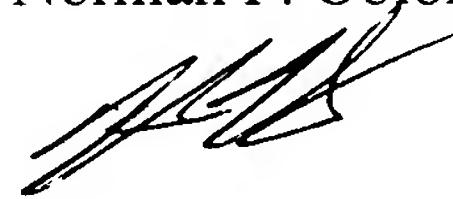
al, Natoli et al and/or Ohno et al. Indeed, the skilled artisan would not have any basis to combine the these references and even in so doing would not obtain the presently claimed process. In particular, the combined disclosures of Schmidt et al, Kuwabara et al, Buckman et al, Natoli et al and Ohno et al would not provide, at least, step (b) or the way of application of the compositions by roll coating and/or roll application and/or spray application and treatment in a drum. Thus, Applicants submit that the claimed invention would not be obvious in view of the combined disclosures of Schmidt et al, Kuwabara et al, Buckman et al, Natoli et al and Ohno et al.

Withdrawal of these grounds of rejection is requested.

Applicants submit that the present application is in condition for allowance. Early notification to this effect is respectfully requested.

Respectfully submitted,

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